



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2974

Introduced 2/18/2016, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-107 from Ch. 95 1/2, par. 3-107
625 ILCS 5/3-808.1 from Ch. 95 1/2, par. 3-808.1

Amends the Illinois Vehicle Code. Provides that certificates of title issued by the Secretary of State shall contain an expiration date of one calendar year after the end of the term of the lien and an identification number corresponding to the lienholder, to go along with the names and addresses of any lienholders. Provides that the corresponding identification number shall appear on the certificate of title in order for the Secretary to inform the lienholder that the Secretary has received a lien release for a particular motor vehicle. Provides that an expiration date of up to one calendar year after a perfected security interest in a motor vehicle expires shall be included on each certificate of title issued in which a lienholder has perfected a security interest in the motor vehicle. Provides that if the recorded lienholder has not reaffirmed the lien by applying for a corrected title with a new expiration date before the expiration date on the original certificate of title, then the owner of the motor vehicle may apply for a corrected certificate of title without the lienholder appearing on the certificate of title. Provides that beginning with the 2017 registration year, permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to vehicles that do not require a school bus driver permit to operate, and are owned by a public school district from grades K-12 or a public community college. Provides that beginning with the 2017 registration year, permanent vehicle registration plates shall be issued, for a one time fee of \$8.00, to vehicles of the first division or vehicles of the second division weighing not more than 8,000 pounds that are owned by a medical facility or hospital of a municipality, county, or township. Effective immediately.

LRB099 20610 RJF 45182 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-107 and 3-808.1 as follows:

6 (625 ILCS 5/3-107) (from Ch. 95 1/2, par. 3-107)
7 Sec. 3-107. Contents and effect.

8 (a) Each certificate of title issued by the Secretary of
9 State shall contain:

- 10 1. the date issued;
- 11 2. the name and address of the owner;
- 12 3. the names and addresses of any lienholders, in the
13 order of priority as shown on the application or, if the
14 application is based on a certificate of title, along with
15 an expiration date of up to one calendar year after the end
16 of the term of the lien and an identification number
17 corresponding to the lienholder, as shown on the
18 certificate;
- 19 4. the title number assigned to the vehicle;
- 20 5. a description of the vehicle including, so far as
21 the following data exists: its make, year-model,
22 identifying number, type of body, whether new or used, as
23 to house trailers as defined in Section 1-128 of this Code,

1 and as to manufactured homes as defined in Section 1-144.03
2 of this Code, the square footage of the vehicle based upon
3 the outside dimensions excluding the length of the tongue
4 and hitch, and, if a new vehicle, the date of the first
5 sale of the vehicle for use;

6 6. an odometer certification as provided for in this
7 Code; and

8 7. any other data the Secretary of State prescribes.

9 (a-5) In the event the applicant seeks to have the vehicle
10 titled as a custom vehicle or street rod, that fact must be
11 stated in the application. The custom vehicle or street rod
12 must be inspected as required by Section 3-406 of this Code
13 prior to issuance of the title. Upon successful completion of
14 the inspection, the vehicle may be titled in the following
15 manner. The make of the vehicle shall be listed as the make of
16 the actual vehicle or the make it is designed to resemble
17 (e.g., Ford or Chevrolet); the model of the vehicle shall be
18 listed as custom vehicle or street rod; and the year of the
19 vehicle shall be listed as the year the actual vehicle was
20 manufactured or the year it is designed to resemble. A vehicle
21 previously titled as other than a custom vehicle or street rod
22 may be issued a corrected title reflecting the custom vehicle
23 or street rod model if it otherwise meets the requirements for
24 the designation.

25 (b) The certificate of title shall contain forms for
26 assignment and warranty of title by the owner, and for

1 assignment and warranty of title by a dealer, and may contain
2 forms for applications for a certificate of title by a
3 transferee, the naming of a lienholder and the assignment or
4 release of the security interest of a lienholder.

5 (b-5) The Secretary of State shall designate on a
6 certificate of title a space where the owner of a vehicle may
7 designate a beneficiary, to whom ownership of the vehicle shall
8 pass in the event of the owner's death.

9 (c) A certificate of title issued by the Secretary of State
10 is prima facie evidence of the facts appearing on it.

11 (d) A certificate of title for a vehicle is not subject to
12 garnishment, attachment, execution or other judicial process,
13 but this subsection does not prevent a lawful levy upon the
14 vehicle.

15 (e) Any certificate of title issued by the Secretary of
16 State is subject to a lien in favor of the State of Illinois
17 for any fees or taxes required to be paid under this Act and as
18 have not been paid, as provided for in this Code.

19 (f) Notwithstanding any other provision of law, a
20 certificate of title issued by the Secretary of State to a
21 manufactured home is prima facie evidence of the facts
22 appearing on it, notwithstanding the fact that such
23 manufactured home, at any time, shall have become affixed in
24 any manner to real property.

25 (g) An expiration date of up to one calendar year after a
26 perfected security interest in a motor vehicle expires shall be

1 included on each certificate of title issued in which a
2 lienholder has perfected a security interest in the motor
3 vehicle. If the recorded lienholder has not reaffirmed the lien
4 by applying for a corrected title with a new expiration date
5 before the expiration date on the original certificate of
6 title, then the owner of the motor vehicle may apply for a
7 corrected certificate of title without the lienholder
8 appearing on the certificate of title.

9 A corresponding identification number shall appear on the
10 certificate of title that links an electronic mail address to
11 the lienholder in order for the Secretary to inform the
12 lienholder that the Secretary has received a lien release for a
13 particular motor vehicle.

14 (Source: P.A. 98-749, eff. 7-16-14.)

15 (625 ILCS 5/3-808.1) (from Ch. 95 1/2, par. 3-808.1)

16 Sec. 3-808.1. (a) Permanent vehicle registration plates
17 shall be issued, at no charge, to the following:

18 1. Vehicles, other than medical transport vehicles,
19 owned and operated by the State of Illinois or by any State
20 agency financed by funds appropriated by the General
21 Assembly;

22 2. Special disability plates issued to vehicles owned
23 and operated by the State of Illinois or by any State
24 agency financed by funds appropriated by the General
25 Assembly.

1 (b) Permanent vehicle registration plates shall be issued,
2 for a one time fee of \$8.00, to the following:

3 1. Vehicles, other than medical transport vehicles,
4 operated by or for any county, township or municipal
5 corporation.

6 2. Vehicles owned by counties, townships or municipal
7 corporations for persons with disabilities.

8 3. Beginning with the 1991 registration year,
9 county-owned vehicles operated by or for any county sheriff
10 and designated deputy sheriffs. These registration plates
11 shall contain the specific county code and unit number.

12 4. All-terrain vehicles owned by counties, townships,
13 or municipal corporations and used for law enforcement
14 purposes when the Manufacturer's Statement of Origin is
15 accompanied with a letter from the original manufacturer or
16 a manufacturer's franchised dealer stating that this
17 all-terrain vehicle has been converted to a street worthy
18 vehicle that meets the equipment requirements set forth in
19 Chapter 12 of this Code.

20 5. Beginning with the 2001 registration year,
21 municipally-owned vehicles operated by or for any police
22 department. These registration plates shall contain the
23 designation "municipal police" and shall be numbered and
24 distributed as prescribed by the Secretary of State.

25 6. Beginning with the 2014 registration year,
26 municipally owned, fire district owned, or Mutual Aid Box

1 Alarm System (MABAS) owned vehicles operated by or for any
2 fire department, fire protection district, or MABAS. These
3 registration plates shall display the designation "Fire
4 Department" and shall display the specific fire
5 department, fire district, fire unit, or MABAS division
6 number or letter.

7 7. Beginning with the 2017 registration year, vehicles
8 that do not require a school bus driver permit under
9 Section 6-104 to operate, and are owned by a public school
10 district from grades K-12 or a public community college.

11 8. Beginning with the 2017 registration year, vehicles
12 of the first division or vehicles of the second division
13 weighing not more than 8,000 pounds that are owned by a
14 medical facility or hospital of a municipality, county, or
15 township.

16 (b-5) Beginning with the 2016 registration year, permanent
17 vehicle registration plates shall be issued for a one-time fee
18 of \$8.00 to a county, township, or municipal corporation that
19 owns or operates vehicles used for the purpose of community
20 workplace commuting as defined by the Secretary of State by
21 administrative rule. The design and color of the plates shall
22 be wholly within the discretion of the Secretary. The Secretary
23 of State may adopt rules to implement this subsection (b-5).

24 (c) Beginning with the 2012 registration year,
25 county-owned vehicles operated by or for any county sheriff and
26 designated deputy sheriffs that have been issued registration

1 plates under subsection (b) of this Section shall be exempt
2 from any fee for the transfer of registration from one vehicle
3 to another vehicle. Each county sheriff shall report to the
4 Secretary of State any transfer of registration plates from one
5 vehicle to another vehicle operated by or for any county
6 sheriff and designated deputy sheriffs. The Secretary of State
7 shall adopt rules to implement this subsection (c).

8 (c-5) Beginning with the 2014 registration year,
9 municipally owned, fire district owned, or Mutual Aid Box Alarm
10 System (MABAS) owned vehicles operated by or for any fire
11 department, fire protection district, or MABAS that have been
12 issued registration plates under subsection (b) of this Section
13 shall be exempt from any fee for the transfer of registration
14 from one vehicle to another vehicle. Each fire department, fire
15 protection district, or MABAS shall report to the Secretary of
16 State any transfer of registration plates from one vehicle to
17 another vehicle operated by or for any fire department, fire
18 protection district, or MABAS. The Secretary of State shall
19 adopt rules to implement this subsection.

20 (d) Beginning with the 2013 registration year,
21 municipally-owned vehicles operated by or for any police
22 department that have been issued registration plates under
23 subsection (b) of this Section shall be exempt from any fee for
24 the transfer of registration from one vehicle to another
25 vehicle. Each municipal police department shall report to the
26 Secretary of State any transfer of registration plates from one

1 vehicle to another vehicle operated by or for any municipal
2 police department. The Secretary of State shall adopt rules to
3 implement this subsection (d).

4 (e) Beginning with the 2016 registration year, any vehicle
5 owned or operated by a county, township, or municipal
6 corporation that has been issued registration plates under this
7 Section is exempt from any fee for the transfer of registration
8 from one vehicle to another vehicle. Each county, township, or
9 municipal corporation shall report to the Secretary of State
10 any transfer of registration plates from one vehicle to another
11 vehicle operated by or for any county, township, or municipal
12 corporation.

13 (Source: P.A. 98-436, eff. 1-1-14; 98-1074, eff. 1-1-15;
14 99-166, eff. 7-28-15.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.